



Town Of Amenia

4988 Route 22, PO BOX 126, AMENIA, NY 12501
TEL: 845-373-8860, x106 FAX: 845-373-9147

Special Planning Board Meeting Thursday, June 28, 2012

Present: Nina Peek
Tony Robustelli
James Walsh
Larry Moore
Peter Clair
Norm Fontaine
Nathan Roy
Ian MacDonald, Attorney
Julie Mangarillo, Engineer

MOTION TO OPEN THE SPECIAL PLANNING BOARD MEETING FOR JUNE 28, 2012
was made by Peter Clair, seconded by James Walsh

486 Leedsville Road

Site Plan – Discussion

**486 Leedsville Road
Amenia, NY**

Ms. Peek stated that the Planning Board has received some of the application materials and the application fee of \$450, so tonight the Planning Board will set the escrow. Julie Mangarillo will review the materials submitted by the applicant, including the Land Use application/Special Use Permit and Site Plan to ensure that the application is complete. The Applicant will need to look at the Zoning requirements in the Zoning Code to see the rest of the documents that they will need to submit as part of this Major Site Plan application package. Susan Metcalfe provided the applicant with a copy of the relevant pages from the Zoning Code. An escrow check in the amount of \$1500 was requested from the applicant. Once the Board has a complete application, they will review it and the Applicant will be placed on an agenda.

Note: *The Applicant for 486 Leedsville Road returned to the Planning Board meeting requesting from the Planning Board Secretary the escrow check and application fee. The escrow check was returned and the application fee could be picked up Friday or Monday. The Applicant stated he wanted to withdraw his application.*

Frank Redl presented a site plan for the west side of the building, Mechanic Street, indicating that none of the comments offered by Dutchess County Planning were feasible. Per Section 239L and M of the NYS Code, the Planning Board referred the application to Dutchess County Planning for their review. The Planning Board received a referral from Dutchess County Planning, which included several conditions for approval and also included two alternative layout sketches for the proposed project site – to comply with various sections of the Amenia Zoning Code including 121-38. Mr. Redl maintained that that Section refers to mainly new construction.

The Applicant reviewed their site plan with the Planning Board, asserting that both alternative Sketch Plans prepared by County Planning were infeasible due to the location of the septic system, which extends to the edge of the blacktop on the east side of the site. If everything moves over to avoid the septic system, sufficient parking (30 spaces) would not be feasible and truck circulation would be problematic. Greenway numbers require 14' for the driveway and 20' for the parking. Bill Flood spoke as a neighbor and felt nothing has been done to the building for 50 years and it needs to be fixed. The building does not appeal to Amenia. He felt Mr. Redl needed to be held to a standard that everyone else is being held to.

Ms. Peek reported that she had spoken with Mr. Redl several days before the meeting and was under the impression that they had agreed that Mr. Redl would not appear at the Planning Board meeting with plans indicating all the reasons they could not accommodate the County's comments, but rather would be prepared with a proposal that would accommodate some of the spirit of the County's comments as a compromise. Ms. Peek felt that a compromise was possible, which would keep the parking along the front (satisfying the needs of the Applicant), and extending the sidewalk along the Mechanic Street side and providing some landscaping there instead of putting the parking along the building (accommodating the County's comments). Ms. Peek indicated she had walked the site with Nathan Roy and Peter Clair and believed that the site could accommodate this configuration. Ms. Peek noted that if the Applicant is not willing to address any of the County's conditions, it would result in a mandatory vote of the Planning Board to override. In order to override the County's conditions, a super majority vote (majority +1) of the Planning Board would be required. If there is not a super majority, the Board cannot approve the site plan. As such, Ms. Peek indicated that it would be in everyone's best interest to come up with a compromise. There is sufficient room to extend the sidewalk, plant some trees and maintain all the parking as it is.

Mr. Redl's architect stated one issue is if the planter is put all along the western edge of the site, the turning radius for cars exiting the property on the Mechanic Street site, would push them into

the other (southbound) lane. Peter Clair added he would be in favor of extending the sidewalk to the second pillar on the western façade of the building. Mr. Redl asked the Board to keep in mind the practicality of applying the strict standards of the Greenway Law, to this particular lot. Nathan Roy indicated that it would be possible to provide a landscaped median along the Mechanic Street façade, which would accommodate the County's comments. The parking and the landscaping along Route 343 are good; it is the treatment along the Mechanic Street that needs to be addressed. Herb Redl, owner of the property, asked whether it would be practical to have the island on Mechanic Street. Ms. Peek stated that Town has targeted this area for this kind of treatment along Mechanic Street so when people come off the rail trail they will be welcomed into the hamlet with something that looks nice and inviting. Ms. Redl-Daniels asked how far down do they need to bring the curbing on the Mechanic Street side? Mr. Redl asked if they could leave a curb cut close to the intersection with Route 343 so trucks can come in by the intersection. Nathan Roy felt that was a hazard, there needs to be 75' from the curb on Main Street and you really don't want trucks to pull through that part of the site. Norm Fontaine asked how are trucks going to pull in there if it is blocked by a curb. Ms. Peek stated that currently, trucks back in from the Route 343 Cumberland Farms side. She continued that if the Applicant is concerned about safety of their patrons, they probably don't want a tractor trailer pulling through the parking lot on the front side of the building where customers are going in and out. Herb Redl stated people cross the road every day and they need to be careful. Ms. Peek stated this is not a road, it is a parking lot. Nathan Roy added if the Applicant brings the curb to the 1/2-point or 2/3-point on the west side of the building, it could accommodate the comments from Dutchess County. The architect for Mr. Redl stated if the parking has to go there, the curb needs to go the entire length in order to get all the spaces. Norm Fontaine suggested painting parking stripes on the lot. There are 13 spaces on the front of the building; 8 spaces on the east side and 9 spaces on Mechanic Street side. Peter Clair felt this was the best way, extend the curb down and you will still have 30 spots for parking. Nathan Roy asked about the deliveries were they early morning or late evening? Mr. Redl stated in Pleasant Valley they come at all times of the day. Tony Robustelli asked if they could move the propane tank to the back. Mr. Redl stated that it was a roof heater and the gas line is underground. Herb Redl stated the tank needed to be 15' away from the building. Tony Robustelli just installed a propane tank right next to his building with no problem. Mr. McGhee (the owner of Conklin's Garage, who holds a driveway access easement agreement with the Redl's for the south side of the property) felt the landscaped median would be in the way of the truck traffic. Nathan Roy asked if it would be better for the curb to come halfway instead of the full length to help with the neighbor's parking. Mr. McGhee stated yes it would, however if someone parks on the side they would be heading the wrong direction.

Herb Redl stated this coming Tuesday Dollar General wants to open and if they don't there are hefty penalty's involved. He went on to say, tell us what the Board wants, tell us what will work for everybody, and we will do it. Ms. Peek stated that she had informed the Applicant back

in April, when they first came to the Planning Board, that they could expect these comments from Dutchess County Planning and that they would be wise to incorporate these components into their site plan at the start to save time and money. However, the Applicant decided not to incorporate any of these features. The Board indicated that the Mechanic Street façade should be curbed and planted with a landscaped median, with trees and shrubs to separate the public and private rights-of-way. Ms. Peek provided the Applicant with a list (preliminary draft list prepared by the Town) of large trees, small trees, shrubs and ground covers for the planted median. Norm Fontaine was still concerned with parking for Mr. McGhee’s customers. C. J. Hoss felt that having a curb cut that close to Main Street was not a compromise. He felt the County would have a problem with it. He also felt that a sidewalk on that side of Mechanic Street was not needed.

The final plan includes a planted median, along the Mechanic Street façade. The median would extend approximately ¾ of the length of the building, providing a continuous – uninterrupted curb along Mechanic Street. Just south of the end of the median, the paving would be striped to indicate parking spaces. Additional landscaping would be provided – using the Town’s draft plant list. Parking would remain in the front yard of the property, provided that a landscaped median be provided along the entire Route 343 façade.

All parties, including Mr. McGhee, the Applicant, Supervisor Flood, Councilman C. J. Hoss and all members of the Planning Board affirmed that the proposed plan would best accommodate the needs of the Applicant, and incorporate to the extent practicable the comments offered by Dutchess County Planning.

Ms. Peek asked the Board if this plan was good and asked for a vote:

ROLL:	Chairwoman Peek	Yes	Nathan Roy	Yes
	Tony Robustelli	Yes	Larry Moore	Yes
	Peter Clair	Yes	James Walsh	Yes
	Norm Fontaine	Yes		

The new site plan will be dropped off at the Planning Board office tomorrow. Ms. Mangarillo felt this was a much better plan. Bill Flood, neighbor, was also fine with this plan.

Ms. Peek will write a report to the county and Ian MacDonald will prepare a resolution for the next meeting of the Planning Board. Mr. Redl asked if the Board would consider granting a temporary CO so that Dollar General could open next week. Ms. Peek said the Board could not grant a CO, only the Building Inspector could do that. She continued only if the Board gave Site Plan Approval then it would be the determination of Mr. Fenton. Mr. Fenton will not grant a CO until he gets the revised site plan from the Applicant. Ian MacDonald asked if it would be

possible to amend one of the maps that show the dimensions and the boundaries now. The architect felt it was ok. Ms. Peek asked about the lighting to confirm that neither internal illumination nor lighting directed toward the sky was proposed. The Applicant concurred that all lighting would be overhead – gooseneck lamps, which would be directed toward the ground.

The County has four recommendations:

1. The full length open curb along Mechanic Street is reduced to a standard curb cut width, preferably at the southwestern end of the property. That is being done – with compromise.
2. The sidewalk is added along Mechanic Street in conjunction with the curb cut reduction. The Board unanimously agreed that the sidewalk is not necessary on the Mechanic Street side and instead of a sidewalk there will be a curbed landscaped planter with recommended plant list.

MOTION TO OVERRIDE COMMENT #2 FROM THE COUNTY was made by Peter Clair, seconded by Tony Robustelli

ALL IN FAVOR - MOTION CARRIED

3. Street trees and additional landscaping are provided. This is being done.
4. The Board and Applicant consider the sketches alternatives provided with this letter. The Board and Applicant have come to an amenable compromise.

MOTION TO GRANT CONDITIONAL SITE PLAN APPROVAL PENDING SUBMISSION OF THE FINAL SITE PLAN TO THE PLANNING BOARD INCLUDING THE ADDITIONAL LANDSCAPED MEDIAN ON MECHANIC STREET; PARKING ON THE EAST, WEST, AND NORTH SIDE, THE LOWERING OF THE SIGN BY TWO (2) FEET, NO OVERHEAD LIGHTING, THE USAGE OF THE TOWN OF AMENIA LANDSCAPED GUIDELINES AS PROVIDED TO THE APPLICANT AND FROSTING THE WINDOWS UP 7' WITH NO LOGO'S ON THE WINDOWS was made by James Walsh, seconded by Peter Clair

ROLL:	Chairwoman Peek	Yes	James Walsh	Yes
	Tony Robustelli	Yes	Peter Clair	Yes
	Norm Fontaine	Yes	Nathan Roy	Yes
	Larry Moore	Yes		

An escrow check needs to be delivered to Lana Anguin, when delivering the revised site plan tomorrow.

Ms. Peek asked Ms. Mangarillo if all her comments from her memo had been satisfied. Ms. Mangarillo said yes, however asked the Applicant for updated surveys that show exactly where the septic system is located and property lines. On the survey from 1960, there looks as if there were subdivisions. Mr. Redl showed the original purchase, and then Herb Redl purchased the lot to the east of the building for a septic system. The Planning Board waived the requirement that would require the site plan to include all structures within 200' of the subject structure.

Nextel-TowerCo

Update

**Route 44
Amenia, NY**

The concrete generator pad has been installed, the generator has been ordered, the landscaping has been done and the fence has been fixed. The generator should be in next week and they will let us know when they are finished.

Other Matters:

MOTION TO APPROVE THE MINUTES OF 05-31-2012 AND 06-07-2012 was made by James Walsh, seconded by Tony Robustelli

ALL IN FAVOR - MOTION CARRIED

There will be no meeting for July 10th unless otherwise contacted. Ian MacDonald will prepare a resolution for Dollar General and Nina Peek will draft a letter to the County regarding Dollar General.

MOTION TO ADJOURN THE MEETING was made by James Walsh, seconded by Peter Clair.

Respectfully submitted,

Susan M. Metcalfe
Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Amenia Planning Board from a meeting held on June 28, 2012 and are not to be construed as the final official minutes until so approved.

 X Approved as read

 Approved with: deletions, corrections, and additions